



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

OCT - 5 2007

**CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

James Breland

Atlanta, GA 30328

RE: MUR 5903

Dear Mr. Breland:

On September 11, 2007, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. § 441f, a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). This finding was based on information ascertained by the Commission in the normal course of carrying out its supervisory responsibilities. See 2 U.S.C. § 437g(a)(2). The Factual and Legal Analysis, which more fully explains the Commission's finding, is attached for your information.

You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Statements should be submitted under oath.

[Redacted area for submission of materials]

Please note that you have a legal obligation to preserve all documents, records and materials relating to this matter until such time as you are notified that the Commission has closed its file in this matter. See 18 U.S.C. § 1519.

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\_\_\_\_\_ If you intend to be represented by counsel, please advise the Commission by completing the enclosed form stating the name, address, and telephone number of such counsel, and authorizing such counsel to receive any notifications and other communications from the Commission.

If you are interested in pursuing pre-probable cause conciliation, you should so request in writing. See 11 C.F.R. § 111.18(d). Upon receipt of the request, the Office of the General Counsel will make recommendations to the Commission either proposing an agreement in settlement of the matter or recommending declining that pre-probable cause conciliation be pursued. The Office of the General Counsel may recommend that pre-probable cause conciliation not be entered into at this time so that it may complete its investigation of the matter. Further, requests for pre-probable cause conciliation will not be entertained after briefs on probable cause have been mailed to the respondent.

Requests for extensions of time will not be routinely granted. Requests must be made in writing at least five days prior to the due date of the response and specific good cause must be demonstrated. In addition, the Office of the General Counsel ordinarily will not give extensions beyond 20 days.

This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A) unless you notify the Commission in writing that you wish the investigation to be made public.

For your information, we have attached a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Adam Schwartz, the attorney assigned to this matter, at (202) 694-1650.

Sincerely,



Robert D. Lenhard  
Chairman

Enclosures

\_\_\_\_\_  
Factual and Legal Analysis  
\_\_\_\_\_

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**FEDERAL ELECTION COMMISSION  
FACTUAL AND LEGAL ANALYSIS**

**Respondent: James Breland**

**MUR: 5903**

**I. INTRODUCTION**

This matter originated with a complaint filed by Maria M. Garcia.

**II. FACTUAL SUMMARY**

James Breland is an employee at PBS&J Corporation ("PBS&J"), a Florida-based government contractor that provides a range of services related to transportation, environmental, construction management, and civil engineering. Available information indicates that PBS&J, through various corporate officers and employees, engaged in a "pattern of decade(s) long illegal campaign violations, including reimbursement of respondent's employees, friends and spouses for political contributions." Known participants in this scheme include William DeLoach, a former Chief Financial Officer, Richard Wickett, former Chief Financial Officer and Chairman of the Board of Directors, H. Michael Dye, PBS&J's former Chief Executive Officer, Maria Garcia, PBS&J's former Business Information Systems Manager, and Rosario Licuta, PBS&J's former Accounts Payable Manager. At the behest of one of these individuals, Mr. Breland wrote a personal check to a specific political committee with the promise that the contribution would be reimbursed.

**III. DISCUSSION**

The Federal Election Campaign Act of 1971, as amended (the "Act"), prohibits any person from knowingly permitting his or her name to be used to effect a contribution in the name of another person. 2 U.S.C. § 441f. By accepting reimbursement for his contribution, Mr.

1 Breland knowingly permitted his name to be used to effect a contribution in the name of another  
2 in violation of 2 U.S.C. § 441f.

3 **III. CONCLUSION**

4 For the foregoing reasons, the Commission finds reason to believe James Breland  
5 violated 2 U.S.C. § 441f.